

## JUDGMENT STANDS IN NICHOLS CASE

Supreme Court Affirms Lower Court in Libel Suit Against Paper.

### PLAINTIFF NOT ENTITLED TO SPECIAL DAMAGES

Verdict of \$1 Returned by Jury in Lower Court Allowed to Stand.

The judgment of the lower court was affirmed by the Supreme court Saturday in the libel suit of C. A. Nichols against the Daily Reporter company. The opinion is written by Justice Straup, with Justice McCarty concurring and Chief Justice Barch dissenting.

**What Nichols Alleged.**

In his complaint against the company, Nichols alleged that, while he was candidate for election to office in the Typographical union of this city, and also a candidate for delegate to the International Typographical union convention, the company printed a card, on one side of which were the words:

"Vote for Honest Jack Bosch for Delegate," and on the other side of which were the words: "Explanatory—Mr. C. A. Nichols owes the Daily Reporter company a balance of \$34.25 for printing done in 1904, draw your own conclusions and vote for Mr. Nichols, if you think he is not able to pay this debt."

Nichols alleged that he had been libeled.

**Not Libelous Per Se.**

The opinion of the Supreme court points out that no special damages were alleged in the complaint, or proven on the trial, the jury returning a verdict in favor of the plaintiff for \$1. The lower court held that the card did not contain matter that was libelous per se and that no damage could be inferred from the mere fact that the card was published and that it was false.

Continuing, the opinion holds that the words are not libelous per se, and in view of the fact that special damages were neither alleged nor proven, the plaintiff was not entitled to them. The judgment below is therefore affirmed.

### DIVORCE AND ALIMONY

Eveline I. Brown Files an Action on Ground of Non-Support.

Alleging that her husband has failed to support her, although capable of earning from \$6 to \$8 a day and owning valuable real estate in Montana, Eveline I. Brown has filed an action for divorce against J. L. Brown.

The parties were married in November, 1900, and Mrs. Brown alleges that her husband has failed to support her, although he has in addition to a decree of divorce Mrs. Brown asks for alimony in the sum of \$200, together with attorney's fees.

### TO COLLECT ON POLICY

Continental Casualty Company Sued by Mrs. Mattie Connervey.

Mrs. Mattie Connervey has filed an action against the Continental Casualty company to recover \$2000 on a policy on her husband's life. According to the complaint, the plaintiff's husband, John C. Connervey, died of a heart attack in June, 1905, having insured in the company for \$2000 at the time of his death. It is also alleged that the company has refused to pay the policy.

**Big reduction on all fall millinery.** Women's Co-Op., 29 E. First South st.

### St. Paul's Bazar.

The ladies of St. Paul's church will give a bazar on December 16 at the Ladies' Literary club. Candy, Christmas goods will be on sale. In the evening a dance for the young people will be given. Announcements later.

### Decree Quietening Title.

In the case of Harry Lawrence against P. T. Elwell, Judge Morse has entered a decree quieting the title of plaintiff to lots in various additions to Salt Lake.

### DANCING CARNIVAL

\$1.00, American Fork and Return, Thanksgiving eve, Nov. 29. Special train leaves via Salt Lake Route 7:30 p. m.

### GOING FAST

The rapidity with which The Tribune Talking Machines have been taken during the first four days since the proposition was launched has necessitated an order for another shipment.

The greatest care will be exercised to keep up with the demand, but if you do not get one now, it may be that just at the time you will want it mightily had you will be disappointed by delay of the machines in transit.

We shall endeavor to hold the proposition open until every subscriber has had a chance to get a machine, but do not think for a minute that the terms can possibly be more favorable at a later time. While, on the other hand, it is indeed quite a possibility that the holding of a large stock indefinitely may incur conditions that will render the present remarkably favorable terms, more difficult or impossible of fulfillment. Sign up without delay. Do it now.

Remember the terms. You subscribe for The Tribune for a year at the regular rate and pay in the same old way. The Tribune gives you the machine. You buy the records. Fair treatment is guaranteed. All subscribers, old or new, have the same chance to get a machine.

A Liquid Dentifrice penetrates the little crevices of the teeth and thus thoroughly purifies and cleanses the mouth.

### SOZODONT

3 Forms: Liquid, Powder & Paste

ASK YOUR DENTIST

## GREAT INTEREST IN WINNIE FOR THE WEST

Meeting of Merchants and Manufacturers' Association Next Tuesday Night.

### PLAINTIFF NOT ENTITLED TO SPECIAL DAMAGES

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### RELEASED ON BOND

Three Men Indicted by Federal Grand Jury Given Liberty.

Seven of the indictments recently returned by the grand jury have been served, while there are four still remaining. The grand jury returned indictments against A. B. Smith and J. E. Thomas, of Heber City, charged with driving sheep on to Indian lands without obtaining permission, and against J. E. Anderson, of Mant, charged with sending a private letter in a penalty envelope.

All three defendants were arrested on Saturday morning, not guilty being the plea entered on the records of the court in each instance. Smith and Thomas were released on \$1000 bond, and Anderson on \$500 bond, all to be paid on Saturday morning.

Graham F. Putnam was appointed by Judge Marshall to defend Robert L. McEl. The trial of the case against Anderson was postponed for one week.

### Pembroke Stationery Co.

Make blank books, ruled and printed blanks, loose-leaf ledgers, vertical file supplies and card indexes.

### CITY AND NEIGHBORHOOD

MISS EDNA DUNCAN, formerly of Salt Lake, but now of Kansas City, will sing the offertory solo at St. Paul's church this morning.

THE P. E. O. SOCIETY meets Saturday, December 2, at 2 o'clock p. m., with Mrs. J. W. Christy, 24 Emery-Holmes.

"WHAT CHRISTIANITY OWES TO THE JEWS" will be the subject of Rev. P. A. Jones' address at Phillips Congregational church this morning.

AT THE Y. M. C. A. this afternoon at 2:30 Rev. Elmer I. Goshen will deliver an address on "The Insanity of Unbelief."

THE STATE COUNCIL OF WOMEN will hold a meeting Monday afternoon at 3 o'clock at the Y. M. C. A. The subject will be "The State of the Union." It will be a meeting of special importance and all members are urged to be present.

MISS AGATHA BERKHOF, contralto, Miss Cecile Sharp, pianist; Miss Phyllis, soprano, and Miss Emma, alto, will appear at the second Thursday concert given by the Y. M. C. A. orchestra on the evening of December 7.

MRS. WILLIAM A. WETZEL left Friday evening for Kemmerer, Wyo., to take part in a concert given there. She will return to Salt Lake Monday morning.

THROUGH the Wilson-Sherman company insurance in the sum of \$3000 has just been paid on the recently burned schoolhouse at Sunnyvale.

FUNERAL SERVICES over the late Wiley Brown were held Saturday at 2 o'clock from Evans' undertaking parlors. The burial took place in Mt. Olivet.

IMPROVEMENTS costing \$50.00 are being made on the Y. M. C. A. building by the city department. This will increase the capacity of the building.

TWO AUTOMOBILES of the 1906 type have arrived in Salt Lake and are attracting a good deal of attention. One is valued at \$600, the other at \$1200.

A SHIPMENT of valuable Italian marbles from Europe has just been received by Dr. Stauffer with which to decorate his new home.

A. J. BRUNEAU will sing an "Ave Maria" by Hoffman at St. Mary's cathedral this morning.

A DECREE in favor of the defendants was handed down by Judge Marshall Saturday in the case of Michael Poley et al. vs. the United States and the company. The decree was in favor of the defendants and awarded them \$1000 in damages and costs.

IN THE CASE of the State against J. H. B. Jones, the jury returned a verdict of guilty on the charge of larceny. The case was tried in Justice Dana T. Smith's court, but was not submitted.

ACCORDING to the latest reading, the lake level had risen one-tenth of a foot since the recent precipitation.

### HALF RATES FOR

Thanksgiving Day.

Tickets on sale November 29-30 between any two points on the D. & R. G. in Utah, good to return December 4. Call on agents for particulars.

### PERSONAL MENTION

Col. Sanford N. Smith of Aspen, Colo., is in the city for a few days, with the view of hunting, and is the guest of the family of Walter T. Jones.

Miss Alice Phelps will leave this afternoon for Cincinnati, where she will spend several weeks with her sister, Mrs. L. H. Higgs.

Gus Holmes, proprietor of the Knottford hotel, real estate owner, capitalist and promoter of the Greater Salt Lake, went East Tuesday morning on a business trip. He will be absent for some time.

Prof. George L. Swenson of the geological survey has just returned from a week's visit at Evanston, Ill., and the surrounding country. Prof. Swenson went to look into the irrigation question in that portion of his territory which will probably be included in the Great Bear river project.

Frank Knox left for East Saturday with the Holmes of the Knottford. They will have dinner in Boston on Thanksgiving day with Mr. Knox's two sons, who are students at Phillips' Andover.

Hamilton G. Park, for a generation or more an employee of the Z. C. M. I. in this city, yesterday celebrated his 60th birthday and received the congratulations and good wishes of his host of friends.

## CEREMONY OF LAYING THE BLOCK TO BE PERFORMED DECEMBER 3.

Ceremony of Laying the Block to Be Performed December 3.

### OVER FIVE HUNDRED MASONS IN PROCESSION

All Utah Lodges Will Participate and Function Will Be Brilliant One.

The craft will meet at the hall presently occupied by the city of Salt Lake, at 1:30, where the order of procession will be taken up. It will be headed by a band, the procession will be followed by the members of the various lodges, and the ceremony will be a most brilliant one.

With all the pomp and ceremony due to the important occasion, the corner stone of the new Masonic temple, which is being erected by the Masons of Salt Lake City, at the corner of First South and Second East streets, will be laid by the grand lodge of Utah on Sunday, December 3. C. S. Varian, grand master, will be the officiating officer.

**Ceremony to Take Place in Afternoon.**

The craft will meet at the hall presently occupied by the city of Salt Lake, at 1:30, where the order of procession will be taken up. It will be headed by a band, the procession will be followed by the members of the various lodges, and the ceremony will be a most brilliant one.

Invitations have been sent to all the Masonic lodges in the State of Utah, and all are expected to participate in the procession, making the function a brilliant affair. The ceremony is a particularly impressive one and will be witnessed by the thousands of the citizens, providing the elements do not interfere, and it is to be hoped the weather will be ideal.

**Hundreds of Masons in Line.**

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**Not Enough Evidence.**

View of District Attorney Looftbourough in Case of Joseph Bogan.

District Attorney Looftbourough filed a statement with the Third District court Saturday afternoon, setting out that he did not consider the evidence against Joe Bogan, charged with robbery, sufficient to warrant the filing of an information. This showing will be made before Judge Armstrong Monday, and the court will then decide the case.

Young Bogan, who is 18 years of age, has had an interesting time recently. Some weeks ago he was arrested for an offense and was held in the city jail. He failed to report to the court and was then sentenced to the industrial school, but was allowed to leave on bond. He is now at the industrial school, and is expected to be released soon.

**Your Best Work.**

Cannot be done unless you have good health. You cannot get early good health without pure blood. You may have pure blood by taking Hood's Sarsaparilla now. You cannot realize the good it will do you until you try it. Begin taking it today and see how quickly it will give you an appetite, strength and vigor and cure your rheumatism, catarrh or scrofula.

All liver ills are cured by Hood's Pills.

25 per cent—greatest sale ever heard of—25 per cent. Rich & Son, 217 Main st.

### JAP PLAYED IN HARD LUCK

Gambles Away Overcoat, Steals Another, Loses That, Goes to Jail.

Charles King, a Japanese, played in hard luck Saturday night. Superstitious gambler, he lost his overcoat in a game of chance, and was then arrested for stealing another overcoat. He was then taken to jail.

According to the statement of the official of the Y. M. C. A. who was in charge of the game, King lost his overcoat in a game of chance, and was then arrested for stealing another overcoat. He was then taken to jail.

When King looks over The Tribune this morning and sees that the grand fight against the gambling hell is still on, he will probably say to himself that he has lost another overcoat.

**Sale of Thanksgiving Edibles.**

Members of the home and education section of the Ladies' Literary club will hold a Thanksgiving sale on Tuesday morning next at Walker's store. They will give away all sorts of Thanksgiving edibles, the proceeds of the sale to be devoted to the work of civic reform, in which the section is interested.

### LOUGHNEY NOT GUILTY

Jury Acquits Him of Charges, After Being Out Ten Minutes.

The jury in the case of Thomas Loughney, charged with embezzlement, returned into Judge Armstrong's court late Saturday afternoon, after having been out a short time, and returned a verdict of not guilty. Loughney was charged with having embezzled \$127.50 from Grant & Howard of this city.

**Big reduction on all fall millinery.** Women's Co-Op., 29 E. First South st.

**Failure to Provide.**

Blanche McAdams is suing Arthur McAdams for a divorce on the ground of failure to provide. The case is now on for trial.

The Utah Art League announces that its seventh annual exhibit will be held at the Brigham Young college at Logan on December 2 to 24. The exhibit will include paintings, sculpture, decorative art, architectural drawings, fabrics and designs for applied art. The league invites all artists of the State to submit exhibits, all of which must be delivered to the Redman Van and Storage company by the night of December 2. Prizes will be awarded in the various classes of the exhibit.

### ART EXHIBIT

Utah League to Display Work at B. Y. College, Logan.

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### CRUELTY IS ALLEGED

One of the Grounds for Decree of Divorce in the Campbell Case.

John Campbell, proprietor of the New Orleans coffee-house, in this city, was yesterday made defendant in a divorce suit instituted by his wife, Julia Campbell.

After alleging that he was married to Campbell in September, 1903, Mrs. Campbell sets out that her husband began to neglect her soon after the marriage, and that he gave her only \$5 from August 31, 1904, to October 7, 1904, and that he has given her nothing since.

Mrs. Campbell also alleges that her husband has been guilty of cruelty, in that he has constantly beaten and ill-treated her, and that he has caused her great mental distress.

Mrs. Campbell asks that her husband be restrained from molesting her, and that she be awarded a hearing, and for temporary alimony. She also asks for a permanent alimony of \$20 a month.

### FREE BOOKLET ON BRIGHT'S DISEASE AND DIABETES.

We desire to place in the hands of those afflicted with Bright's Disease or Diabetes a 36-page pamphlet that is saving human lives. It is not an ordinary pamphlet, but is principally made up of reports of scientifically conducted tests in a large variety of cases, showing 87 per cent of recoveries in these hitherto incurable diseases.

This booklet is for thoughtful people—people who can discriminate between common patent medicine literature and a carefully prepared report of a patient, serious and profoundly important investigation.

The specifics employed in these tests are known as the Fulton Compounds, and the results obtained prove conclusively that these dreaded diseases so long fatal have at last yielded to medical science. The pamphlet is free.

Write to H. H. Drug Co., Local Agents, Salt Lake City.

When to suspect Bright's Disease—Weakness or loss of weight, purify ankles, hands or eyelids; kidney trouble after the third month; urine may show sediment; failing vision; drowsiness; one or more of these.

In Diabetes the distinguishing feature is weakness with great thirst and at times voracious appetite.

## A SPLENDID SUCCESS

The anthem contest, which was inaugurated nearly four months ago by The Tribune, has created more interest in Utah and in surrounding States than any stroke of newspaper enterprise that has ever been made in the intermountain country. In fact, it is doubtful if an American newspaper has ever presented a feature as worthy and as interesting as The Tribune's offer of \$1400.00 for the three most popular State songs.

Since the music was published last Sunday morning the interest has been immense. Hundreds of letters have reached The Tribune office touching this subject, and scores of visits have been made by those who desired to congratulate the promoters of the enterprise on its magnificent success.

On December 7th a musical will be given by the Y. M. C. A. at the Salt Lake Theater, when picked singers will present the songs to the public. It is also understood that a musicale may be given for the benefit of the National Guard, at which the several songs will be produced. Within a few days the Tabernacle choir will practice all of these songs to determine which will be the most useful.

Conductor Evan Stephens of this great choir is especially enthusiastic on this point. Prof. Wetzell, superintendent of music of the city schools, contemplates teaching these songs by rote to the thousands of pupils of Salt Lake City, but at the request of The Tribune he has deferred action in this regard until the close of the contest, lest it be charged that favoritism be shown to one or more of the composers.

Several singing societies have made these songs almost the sole subject of comment in their meetings.

Of course, The Tribune is gratified. But its gratification is a thousand times greater because of the fact that the public is pleased at the immense success of the contest than the mere newspaper victory which comes through it.

The demand for extra copies of The Tribune from all parts of the State has been something immense. Almost all of The Tribune's scores of agents were unable to supply their customers, and some wired for additional copies, which could not be furnished. Anticipating an even larger demand for today's edition, in order that every one may be able to vote on this contest who is entitled to it, the publishers have attempted to gratify the public wish. A few copies of the music section printed last Sunday will still be supplied. These will be mailed to any address for 5c each.

The Tribune hopes that the best of feeling and honesty of purpose will actuate all who are concerned in this contest. Every body should vote, and vote intelligently. It is eminently fair for anyone to engage in tactics that would prejudice the public against the winner of the prizes. And we anticipate that in all that is done there shall be a singleness of purpose to give to the public a number of songs that are free from bias, prejudice, sharp dealing, and everything discreditable to a great popular production.

The coupons by which the voting may be done will be printed in the Sunday editions of The Tribune up to and including December 24, also in the Tuesday editions of the Semi-Weekly. Full instructions are printed at the bottom of the coupon.

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## JUST ROBBERY IN GAMBLING DENS

Some Games That Are Nothing Less Than Plain Hold-Ups.

### SUCKERS DON'T KNOW WHAT THEY FACE

No Experienced Gambler Would Risk Money in Ways the Unwary Do.

Heavy losses over the roulette wheel and at the faro bank by no means tell the story of all the suffering, shame and evil that comes from Salt Lake being a wide-outdoor the dens of vice and crime.

Police Lynch to enforce the law which he well knows is violated day and night in five or six houses devoted entirely to gambling.

**Robbery Only Word.**

"Robbery" is the only word that will adequately describe the result of winning the games that are permitted in three or four houses of the city. The evidence is found in the fact that no experienced gambler would ever bet more than a few dollars on a game, and that the men who do so are not only losing their money, but are also losing their health and their families.

**Fake Wheel of Fortune.**

A fake "wheel of fortune," at which a man stands the same chance of winning that a snobbery of remaining intact in a blast furnace, is one of the favorites with country youths, who are attracted by the brilliant colors and the sordid voice of the "speler" as he calls: "One dollar for a dime. Get your money down, fifteen dollars for a dollar, fifty dollars for five, get your money down, boys, get it down."

**Just a Hold-Up.**

Ask any old gambler who will answer sincerely, if he plays this game, and he will say: "Not for me. The bank and the wheel are bad enough, but this is a cinch that you lose." Yet the "spilers" and the "boosters" urge on the young men to play, and the men who play are not only losing their money, but are also losing their health and their families.

**Trick Poker Games.**

Another form of the gambling-house hold-up is to be found in poker games, where there are one or two "live ones" and all the others around the table are "boosters" for the house, whose checks and dice are nothing. These "boosters" are not only losing their money, but are also losing their health and their families.

**Boys at Crap Table.**

"Crap" is another game that is being fast polished in houses that are envied for what they term "gentlemen's play." It leads to no end of arguments and disputes, and the per cent in favor of the house is so great that the men who play are not only losing their money, but are also losing their health and their families.

**One Case in Point.**

A short time ago an eighteen-year-old boy, who knew nothing about the game, was taken to a crap table by a booster. The youth was told to bet on the "field." He did so and his \$25 lasted for five throws. Had he understood the game he might have protected himself partly by placing part of the money on the "line," but the booster would not let him do so.

The boy went out weeping when he realized what he had done, but he received no sympathy from any of the gamblers and cappers.

**Kicked Down Stairs.**

A few months ago, in a gambling-house of Commercial street, a man whose losses had been heavy, who had in fact lost the last dollar of his wages, became involved in a dispute with one of the dealers, claiming that the house had cheated him out of \$2. Hot words on both sides followed, the bully bouncer was called; the man was knocked down and then kicked down the long flight of stairs, and landed in the hospital, where he suffered for weeks. It suited the proprietor of the house better to have the bouncer remove the disturber than to have the man who had lost his money.

Places of this character are open night and day in Salt Lake. Chief Lynch, who is in charge of the police, has been unable to do much to stop them, and the men who play are not only losing their money, but are also losing their health and their families.

**Thanksgiving Sale.**

Cake, mince-meat, mince pie and brown bread at Keith-O'Brien store Tuesday, November 28, in basement, 10 o'clock. Ladies' Aid, Christian church.

**Music at First Presbyterian Church.**

The choir at the First Presbyterian